

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

UNITED STATES OF AMERICA )  
                                )  
                                )  
v.                            ) CASE NO. DNCW1:02CR28-T  
                                )  
                                )(Financial Litigation Unit)  
JENNIFER KAY DIXON,       )  
                                )  
and                           )  
                                )  
FOLK'S CLEANERS, INC.,     )  
                                Garnishee. )

**ORDER OF CONTINUING GARNISHMENT**

**THIS MATTER** is before the Court on the answer of Folk's Cleaners, Inc., as Garnishee.

On October 1, 2002, the Honorable Lacy H. Thornburg sentenced the defendant to 21 months of incarceration for her conviction of bank fraud in violation of 18 U.S.C. § 1344. Judgment in the criminal case was filed on October 17, 2002 (Docket No. 13). As part of that Judgment, the defendant was ordered to pay an assessment of \$100 and restitution of \$736,000.00 to the victims of the crime. *Id.*

On May 10, 2011, the Court entered a Writ of Continuing Garnishment ("Writ") (Docket No. 18), to Garnishee, Folk's Cleaners, Inc. ("Garnishee"). The United States is entitled to a wage garnishment of 25% of net income and has satisfied the prerequisites set forth in 15 U.S.C. § 1673. Defendant and Garnishee were each served with the Writ on May 12, 2011. Garnishee filed an Answer to the Writ on May 23, 2011 (Docket No. 20), stating that at the time of the service of the Writ, Garnishee had in their custody, control or possession property or funds owned by the debtor, including non-exempt, disposable earnings. Defendant filed a letter with the Court requesting a hearing on May 27, 2011 (Docket No. 21). The United States filed a response to defendant's request for a hearing on May 31, 2011 (Docket No. 22). The Court denied the defendant's request for a

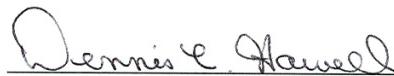
hearing on September 1, 2011 (Docket No. 23).

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$727,890.00 computed through May 6, 2011. Garnishee shall pay the United States 25% of defendant's net earnings which remain after all deductions required by law have been withheld, and 100% of all 1099 payments, and Garnishee shall continue said payments until the debt to the United States is paid in full, or until Garnishee no longer has custody, possession or control of any property belonging to defendant, or until further Order of this court.

Payments should be made payable to the United States Clerk of Court and mailed to the Clerk of the United States District Court, 401 West Trade Street, Charlotte, NC 28202. In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW1:02CR28-T.

The United States will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the defendant would normally receive may be offset and applied to this debt.

Signed: September 12, 2011



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Dennis L. Howell  
United States Magistrate Judge

